

Message Text

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INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-03 H-01 INR-05 L-02

NSAE-00 NSC-05 PA-01 RSC-01 PRS-01 SP-02 SS-15

USIA-06 SAJ-01 /056 W

----- 121742

R 151524Z NOV 74

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AMCONSUL BREMEN

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E.O. 11652: N/A

TAGS: GW, PINR

SUBJECT: SPD-JUSO RELATIONS: PARTY CLAIMS RIGHT TO
CONTROL JUSO STATEMENTS AND ACTIVITIES

SUMMARY: THE SPD PARTY COURT HAS ISSUED A DECISION
PROVIDING THAT ACTIVITIES AND PUBLIC DECLARATIONS OF
THE JUSOS AND OTHER SPD ORGANIZATIONS MUST BE APPROVED
BY THE PARTY EXECUTIVE BOARD. SENTIMENT WITHIN THE SPD
FOR GREATER ORGANIZATIONAL CONTROL OVER THE JUSOS HAS
BEEN GAINING GROUND FOR SOMETIME, BUT THE DECISION GOES
BEYOND WHAT MANY EXPECTED OR CONSIDER WISE. THE PRACTI-
CAL AFFECT OF THE DECISION, HOWEVER, WILL DEPEND ON
LOCAL SPD POWER RELATIONSHIPS. END SUMMARY

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1. ON NOVEMBER 11 THE SPD'S HIGHEST PARTY COURT (BUNDESSCHIEDSKOMMISSION) ISSUED A DECISION WHICH, IF STRICTLY COHSTRUED, WOULD CONSIDERABLY RESTRICT THE POWERS OF THE YOUNG SOCIALISTS AND OTHER GROUPS (ARBEITSGEMEINSCHAFTEN) WITHIN THE SPD. THE JUSOS HAVE LABELED THE DECISIOH "THE STRONGEST ATTACK YET" OF THE SPD AGAINST THE JUSOS AND HAVE EXPRESSED THEIR DOUBTS ABOUT ITS LEGAL VALIDITY AND POLITICAL WISDOM.

2. THE DECISION PROVIDES THAT THE SPD EXECUTIVE BOARD (AT EACH OF THE VARIOUS LOCAL AS WELL AS NATIONAL LEVELS) HAS THE RIGHT TO FORBID PUBLIC DECLARATIONS AND ACTIVITIES OF AN "ARBEITSGEMEINSCHAFT" AND ITS INDIVIDUAL FUNCTIONARIES WITH WHICH IT DOES NOT AGREE. THE DECISION EXPLICITLY PROVIDES THAT AN "ARBEITSGEMEINSCHAFT'S" PUBLIC STATEMENTS AND ACTIVITIES MUST BE BASED ON "AGREEMENT" BETWEEN THE RELEVANT PARTY EXECUTIVE BOARD AND THE COHSTITUENT GROUP; AN EXCHANGE OF VIEWS OR A "TAKING NOTE OF RESPECTIVE POSITIONS" IS NOT SUFFICIENT. IF JUSO FUNCTIONARIES FAIL TO ABIDE BY THIS RULE, THE DECISION PROVIDES THAT THE APPROPRIATE SPD EXECUTIVE BOARD HAS THE RIGHT TO DISMISS THEM, WITH NO RIGHT OF APPEAL.

3. THE COURT'S DECISION WAS MADE ON THE BASIS OF A CASE SUBMITTED TO IT SEVERAL MONTHS AGO BY THE SPD DISTRICT EXECUTIVE BOARD IN FRANCONIA LED BY BRUNO FRIEDRICH. FRIEDRICH HAS MADE HO SECRET OF HIS CONVICTION THAT THE VARIOUS JUSO-SPD CONFLICTS HAVE HURT THE SPD'S IMAGE AND DAMAGED IT IN ELECTIONS.

4. IN A LENGTHY STATEMENT WELCOMING THE DECISION, FRIEDRICH HAS DECLARED THAT THE RULING BRINGS THE OPINION-FORMATION PROCESS WITHIN THE PARTY BACK WHERE IT BELONGS, SUBORDINATING THE SPD'S CONSTITUENT GROUPS TO THE MAJORITY RULE OF THE LOCAL AND REGIONAL SPD PARTY ORGANIZATIONS.

5. THE JUSO NATIONAL EXECUTIVE BOARD HAS ISSUED A STATEMENT EXPRESSING DOUBT THAT THE COURT DECISION IS LIMITED OFFICIAL USE

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COMPATIBLE WITH THE PARTY STATUTES. THEY QUESTION IN PARTICULAR WHETHER JUSO FUNCTIONARIES CAN BE DISMISSED WITHOUT APPEAL. THE JUSO LEADERSHIP HAS ALSO TERMED THE DECISION A RESTRICTION ON INNER-PARTY DEMOCRACY, AND QUESTIONED "WHETHER THE SOLIDARITY DESIRED BY THE SPD LEADERSHIP VIS-A-VIS THE CDU/CSU CAN BE ACHIEVED AS A RESULT OF THIS DECISION."

6. COMMENT: OUR CONTACTS IH SPD HEADQUARTERS HAVE BEEN TELLING US FOR SEVERAL MONTHS THAT THE PARTY HAS ALREADY BEGUN TO ASSERT MORE ORGANIZATIONAL CONTROL OVER THE JUSOS THAN HAS BEEN THE CASE FOR MANY YEARS. FOR EX-AMPLE, JUSO PRINTED PUBLICATIONS NOW MUST HAVE THE IMPRIMATUR OF PARTY HEADQUARTERS BEFOR THEIR RELEASE. EVEN BRANDT AND BOERNER, WE ARE TOLD, ARE CONVINCED OF THE NEED FOR TIGHTENING THE ORGAHIZATIONAL REINS AROUND THE JUSOS. LAST JUNE THE SPD NATIONAL EXECUTIVE BOARD MADE A DECISION WHICH EXPLICITLY DEFINED THE

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"ARBEITSGEMEINSCHAFTEN" AS "ADVISORY ORGANS OF THE SPD".
HOWEVER, THE PARTY COURT'S NOVEMBER 11 DECISION GOES
SIGNIFICANTLY BEYOND THIS, BY STATING THAT THE SPD
EXECUTIVE BOARDS HAVE ENFORCEMENT POWERS OVER THE JUSOS
ETC. IN THE FORM OF DISMISSAL OF THEIR FUNCTIONARIES
-- A QUESTION WHICH WAS SPECIFICALLY PUT TO THE COURT BY
THE FRAHCONIA SPD ORGANIZATION.

7. THE COURT'S RULING IS NO DOUBT SATISFYING TO HELMUT
SCHMIDT, AND THE SPD ELECTORAL LOSSES HAVE UNDOUBTEDLY
PLAYED A ROLE IN CREATING A CLIMATE FAVORABLE TO SUCH A
DECISION. HOWEVER, THERE ARE NO SPD NATIONAL EXECUTIVE
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BOARD MEMBERS ON THE PARTY COURT, AND ITS MEMBERS ARE
TRAINED LAWYERS. WHATEVER THE LEGAL MERITS OF THE
DECISION MAY BE AS FAR AS SPD PARTY STATUTES ARE CON-
CERNED, THE PRACTICAL EFFECTS ARE DIFFICULT TO PREDICT.
THE RULING WILL CERTAINLY GIVE THE SPD THE LEGAL AMMUNI-
TION TO MOVE AGAINST THE JUSOS IF IT SO DESIRES. HOW-
EVER, IT WILL NOT SOLVE THE SPD-JUSOS PROBLEMS IN AREAS
SUCH AS FRANKFURT AND MUNICH WHERE THE LEFT CONTROLS THE
LOCAL SPD EXECUTIVE BOARDS. ON THE NATIONAL LEVEL, IT
MAY INHIBIT SOME OF THE MORE DRAMATIC VOCAL OUTBURSTS OF
JUSO CHAIRMAN HEIDI WIECZOREK-ZEUL AND HER COLLEAGUES,
BUT THEY HAVE ALREADY BEEN SLAPPED DOWN HARD BY THE PARTY
FOR SOME OF THEIR RECENT STATEMENTS TO THE PRESS AND THIS
ADDED INSULT TO RECENT INJURIES IS DIFFICULT FOR THEM TO
SWALLOW GRACEFULLY. IT IS, HOWEVER, A HEAVY BLOW TO
HEIDI AND SHE IS DISTRESSED AND UPSET BY THE DECISION.

8. ONE OF THE MOTIVATIONS BEHIND BRUNO FRIEDRICH'S
INITIATIVES FOR A COURT DECISION WAS ALSO -- IN ADDITION
TO MUZZLING THE JUSO PUBLIC UTTERANCES -- TO STOP THEM
FROM CARRYING ON CONTACTS WITH FRENCH AND ITALIAN
COMMUNIST YOUTH GROUPS. WE DOUBT VERY MUCH THAT THIS
PARTY COURT DECISION WILL KEEP THE JUSOS FROM CONTINUING
THESE CONTACTS WHICH THEY HAVE INTENSIFIED OVER THE PAST
YEAR, ALTHOUGH THEY MAY BECOME SOMEWHAT MORE CIRCUMSPECT
IN PURSUING THEM.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PARTY UNITY, PARTY LINE, POLITICAL PARTIES
Control Number: n/a
Copy: SINGLE
Draft Date: 15 NOV 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: cunninfx
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974BONN17917
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740330-0692
From: BONN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19741141/aaaabimb.tel
Line Count: 214
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: cunninfx
Review Comment: n/a
Review Content Flags:
Review Date: 07 MAY 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <07 MAY 2002 by cunninfx>; APPROVED <18 MAR 2003 by cunninfx>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: SPD-JUSO RELATIONS: PARTY CLAIMS RIGHT TO CONTROL JUSO STATEMENTS AND ACTIVITIES
TAGS: PINR, GE
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005